

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

CURTIS V. MOORE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIV-05-1488-M
	)	
RON WARD, et al.,	)	
	)	
Defendant.	)	

**ORDER**

On February 3, 2006, United States Magistrate Judge Doyle W. Argo issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983, alleging a violation of Plaintiff's constitutional rights. Because Plaintiff has not paid the \$250.00 filing fee, filed an application for leave to proceed *in forma pauperis*, requested an extension of time to comply, or demonstrated good cause for his failure to do so, the Magistrate Judge recommended that this action be dismissed without prejudice to refile. Plaintiff was advised of his right to object to the Report and Recommendation by February 23, 2006.<sup>1</sup> A review of the file reveals that no objection has been filed.

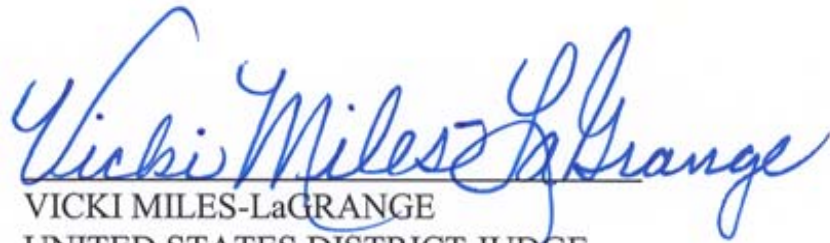
Upon *de novo* review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on February 3, 2006; and
- (2) DISMISSES this action without prejudice to refile for Plaintiff's failure to either pay the filing fee or to submit an application to proceed *in forma pauperis*.

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<sup>1</sup>On March 8, 2006, Plaintiff was granted an extension of time until March 28, 2006, to file his objections.

**IT IS SO ORDERED this 19th day of April, 2006.**



VICKI MILES-LaGRANGE  
UNITED STATES DISTRICT JUDGE